

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN**

CYNTHIA PALACIOS, individually and )  
on behalf of all others similarly situated, )  
) )  
Plaintiff, )  
v. ) Case No. 2:21-CV-11815  
) )  
) Hon. Terrence G. Berg  
ANNIE’S PUBLISHING, LLC, )  
) )  
Defendant. )  
)

## **STIPULATED ORDER TO STAY ACTION PENDING MEDIATION**

Plaintiff Cynthia Palacios and Defendant Annie’s Publishing, LLC (“Annie’s,” together with Plaintiff, the “Parties”) state as follows:

WHEREAS, this action was originally filed on August 5, 2021 by former plaintiff Arlene Devroy (ECF No. 1);

WHEREAS, the operative first amended complaint substituting Plaintiff as named plaintiff in Ms. Devroy's place was filed on December 15, 2021 (ECF No. 8);

WHEREAS, Annie's filed a motion to dismiss on March 3, 2022 (ECF No. 12);

WHEREAS, Plaintiff filed a response to the motion to dismiss on March 24, 2022 (ECF No. 14);

WHEREAS, Annie's filed a reply in support of the motion to dismiss on March 31, 2022 (ECF No. 16);

WHEREAS, the Parties wish to explore potential resolutions to this action, and have agreed to attend a mediation on September 20, 2022 before the Honorable Frank Maas (Ret.) of JAMS;

WHEREAS, in order to preserve judicial resources and afford the Parties an opportunity to reach an amicable resolution at this juncture of the action, the Parties respectfully request that the Court stay this action, and defer deciding the Defendant's motion to dismiss, pending the outcome of the Parties' mediation before Judge Maas;

WHEREAS, the Parties wish to advise the Court that the timing of their mediation (approximately three (3) months from today's date) is attributable to the upcoming departure of Defendant's President and Chief Executive Officer and his successor's transition into the company, which will include the need to become apprised of the issues presented in this action prior to the mediation;

WHEREAS, the Parties, by and through their counsel, stipulate to an Order staying this action pending their upcoming mediation;

WHEREAS, should the Court stay this action as the Parties have stipulated to herein, the Parties propose that they be required to submit a joint status report to

apprise the Court of the outcome of the mediation within five (5) days following the mediation, *i.e.*, by no later than September 25, 2022;

Accordingly, **IT IS HEREBY ORDERED** that this action is stayed for all purposes pending the outcome of the Parties' September 20, 2022 mediation, and that the Parties shall file a joint status report apprising the Court of the outcome of the mediation by no later than September 25, 2022.

SO ORDERED.

Dated: June 27, 2022

/s/Terrence G. Berg  
Hon. Terrence G. Berg  
UNITED STATES DISTRICT JUDGE

STIPULATED AND AGREED:

/s/ E. Powell Miller

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*Attorneys for Defendant*

Dated: June 9, 2022

Respectfully submitted,

/s/ E. Powell Miller

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**CERTIFICATE OF SERVICE**

I, E. Powell Miller, an attorney, hereby certify that on June 9, 2022, I served the above and foregoing on all counsel of record by submitting it via the Court's Utilities system and forwarding verification of the submission and this document to counsel for Defendant at the following email addresses:

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